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LANDMINE MONITOR FACT SHEET

Prepared by Human Rights Watch

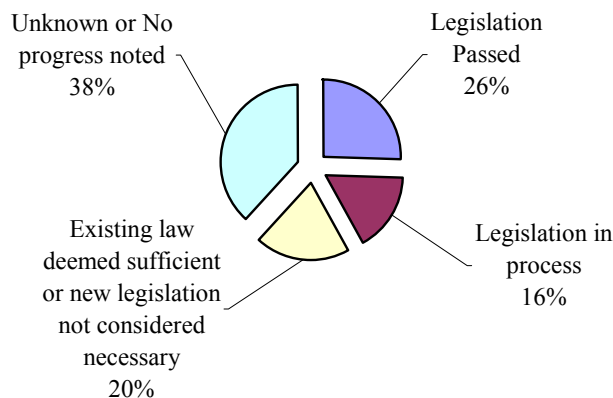
for the Ninth Meeting of the Intersessional Standing Committee
on the General Status and Operation of the 1997 Mine Ban Treaty

Geneva, Switzerland

9 February 2004

**National Implementation Measures
(Article 9)**

Article 9 of the 1997 Mine Ban Treaty states, "Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited" by the treaty. The current status of states practice is depicted in the following chart:



Only 36 of the current 141 States Parties have passed new domestic laws to implement the treaty and fulfill the obligations of Article 9 of the Mine Ban Treaty. **South Africa** is the most recent to enact legislation on 5 December 2003.

A total of 23 States Parties report that steps to enact legislation are underway. **Argentina, DR Congo, Malawi, Peru, and Suriname** are newly added to the list of states reporting that they have begun the process of passing legislation. Another 28 States Parties have indicated that they do not believe any new law is required to implement the treaty. Landmine Monitor is unaware of any progress to enact appropriate domestic measures to implement the treaty in 54 States Parties.

In many cases, governments believe no steps are necessary because they have never stockpiled antipersonnel mines and are not mine-affected. The ICBL is concerned, however, about the need for all states to pass legislation that includes penal sanctions for any potential future violations of the treaty, and provides for full implementation of all aspects of the treaty.

The ICRC has produced an “Information Kit on the Development of National Legislation to Implement the Convention of the Prohibition of Anti-Personnel Mines.” This kit is available from the ICRC in English, French, and Spanish and is also available on the internet at: <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/57JR2C?OpenDocument>

Status of National Implementation Measures

Legislation Passed	Australia, Austria, Belgium, Brazil, Burkina Faso, Cambodia, Canada, Colombia, Costa Rica, Czech Rep., France, Guatemala, Germany, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Malaysia, Mali, Malta, Mauritius, Monaco, New Zealand, Nicaragua, Norway, South Africa, Spain, Sweden, Switzerland, Trinidad & Tobago, United Kingdom, Zimbabwe
Legislation in process	Albania, Argentina, Bangladesh, Benin, Bosnia & Herzegovina, DR Congo, Rep. Congo, Croatia, El Salvador, Jamaica, Malawi, Mauritania, Mozambique, Niger, Peru, Philippines, Seychelles, Suriname, Swaziland, Togo, Uganda, Yemen, Zambia
Existing law deemed sufficient or new legislation not considered necessary	Algeria, Andorra, Antigua & Barbuda, Bulgaria, Denmark, Djibouti, Dominican Rep., Holy See, Jordan, Lesotho, Macedonia FYR, Mexico, Netherlands, Panama, Paraguay, Portugal, Qatar, Romania, Rwanda, Samoa, San Marino, Senegal, Slovakia, Slovenia, Tajikistan, Tanzania, Thailand, Tunisia
Unknown or No progress noted	Afghanistan, Angola, Bahamas, Barbados, Belarus, Belize, Bolivia, Botswana, Burundi, Cameroon, Cape Verde, Central African Rep., Chad, Chile, Comoros, Cote D'Ivoire, Cyprus, Dominica, Ecuador, Equatorial Guinea, Eritrea, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guinea, Guinea Bissau, Guyana, Kenya, Kiribati, Liberia, Lithuania, Madagascar, Maldives, Moldova, Namibia, Nauru, Nigeria, Niue, St. Kitts & Nevis, St. Lucia, St. Vincent & Grenadines, Sao Tome e Principe, Serbia & Montenegro, Sierra Leone, Solomon Islands, Sudan, Timor Leste, Turkey, Turkmenistan, Uruguay, Venezuela